



**US Army Corps
of Engineers**
Huntington District

Public Notice

In reply refer to:	Issuance Date:
Public Notice No. 200300387	August 16, 2004
Stream:	Expiration Date:
U/T Alum Creek	September 15, 2004
Address comments to:	US Army Corps of Engineers, Huntington District 802 Eighth Street ATTN: CELRH-E Huntington, West Virginia 25701-2070

TO WHOM IT MAY CONCERN: The following application has been submitted for a Department of the Army Permit under the provisions of Section 404 of the Clean Water Act. This notice serves as the Corps of Engineers' request to the Ohio Environmental Protection Agency (OEPA) to act on Section 401 Water Quality Certification for the following application:

APPLICANT: Mike Cosgrove
Columbus Fair Auto Auction
4700 Groveport Road
Columbus, Ohio 43207

LOCATION: The project is located approximately 1200 feet northwest of the intersection of New World Drive and Alum Creek Drive in Columbus, Franklin County, Ohio. (Longitude - West 82 degrees, 55 minutes, 55.35 seconds, Latitude - North 39 degrees, 54 minutes, 2.26 seconds)

DESCRIPTION OF PROPOSED WORK: The applicant proposes to place fill material into waters of the United States to develop additional parking space for automobiles to be auctioned. Approximately 2.68 acres of category 2 (applying OEPA's Ohio Rapid Assessment Method) wetlands would be filled to enlarge an existing parking area. The wetlands drain into a surface water tributary system which leads to Alum Creek, a tributary of the Scioto River, a navigable water of the United States. Approximately 13,000 cubic yards of fill material would be discharged into the wetland area.

To compensate for the loss of 2.68 acres of a Category 2 wetlands associated with the project, the applicant has proposed to purchase 5.4 acres of wetland credits at the Little Scioto Wetland Mitigation Bank in Marion County, Ohio.

WATER QUALITY CERTIFICATION: A Section 401 Water Quality Certification is required for this project. It is the applicant's responsibility to obtain certification from the Ohio Environmental Protection Agency.

ALTERNATIVES ANALYSIS: The project does not require access to or siting within the wetlands to fulfill its basic purpose and is considered a non-water dependent activity. The Section 404(b) (1) Guidelines state that for non-water dependent activities, practicable alternatives that do not involve wetlands are presumed to be available unless clearly demonstrated otherwise. The applicant is required to provide an alternative analysis that must overcome that presumption prior to receiving authorization for the placement of fill material. The applicant has submitted the required alternative analysis and it is currently being reviewed.

Plans of the proposed work are attached to this notice.

HISTORIC & CULTURAL RESOURCES: The National Register of Historic Places has been consulted and it has been determined that there are no properties currently listed on the register that are in the area affected by the project. A copy of this public notice will be furnished to the State Historic Preservation Office for their review. Comments concerning archeological sensitivity of a project area should be based upon collected data.

THREATENED & ENDANGERED SPECIES: This project is located within the known or historic range of the following threatened and endangered species: Indiana bat (Endangered), Scioto madtom (Endangered), clubshell mussel (Endangered), and northern riffleshell mussel (Endangered).

The Huntington District has consulted the most recently available information and has determined that the project is not likely to affect the continued existence of any endangered species or threatened species, or result in the destruction or adverse modification of habitat of such species which has been determined to be critical. This public notice serves as a request to the U.S. Fish and Wildlife Service for any additional information they may have on whether any listed or proposed to be listed endangered or threatened species may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1972 (as amended).

PUBLIC INTEREST: Any person who has an interest that may be adversely affected by the issuance of a permit may request a public hearing. The request must be submitted in writing to the District Engineer on or before the expiration date of this notice and must clearly set forth the interest which may be adversely affected and the manner in which the interest may be adversely affected by the activity.

Interested parties are invited to state any objections they may have to the proposed work. The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit that reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people. Written statements on these factors received in this office on or before the expiration date of this public notice will become a part of the record and will be considered in the final determination. A permit will be granted unless its issuance is found to be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the

preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Persons wishing to submit comments, objections or requests for public hearings concerning the Corps of Engineers permit should write:

U.S. Army Corps of Engineers
ATTN: CELRH-OR-F Public Notice No. 200300387
502 8th Street
Huntington, West Virginia 25701-2070

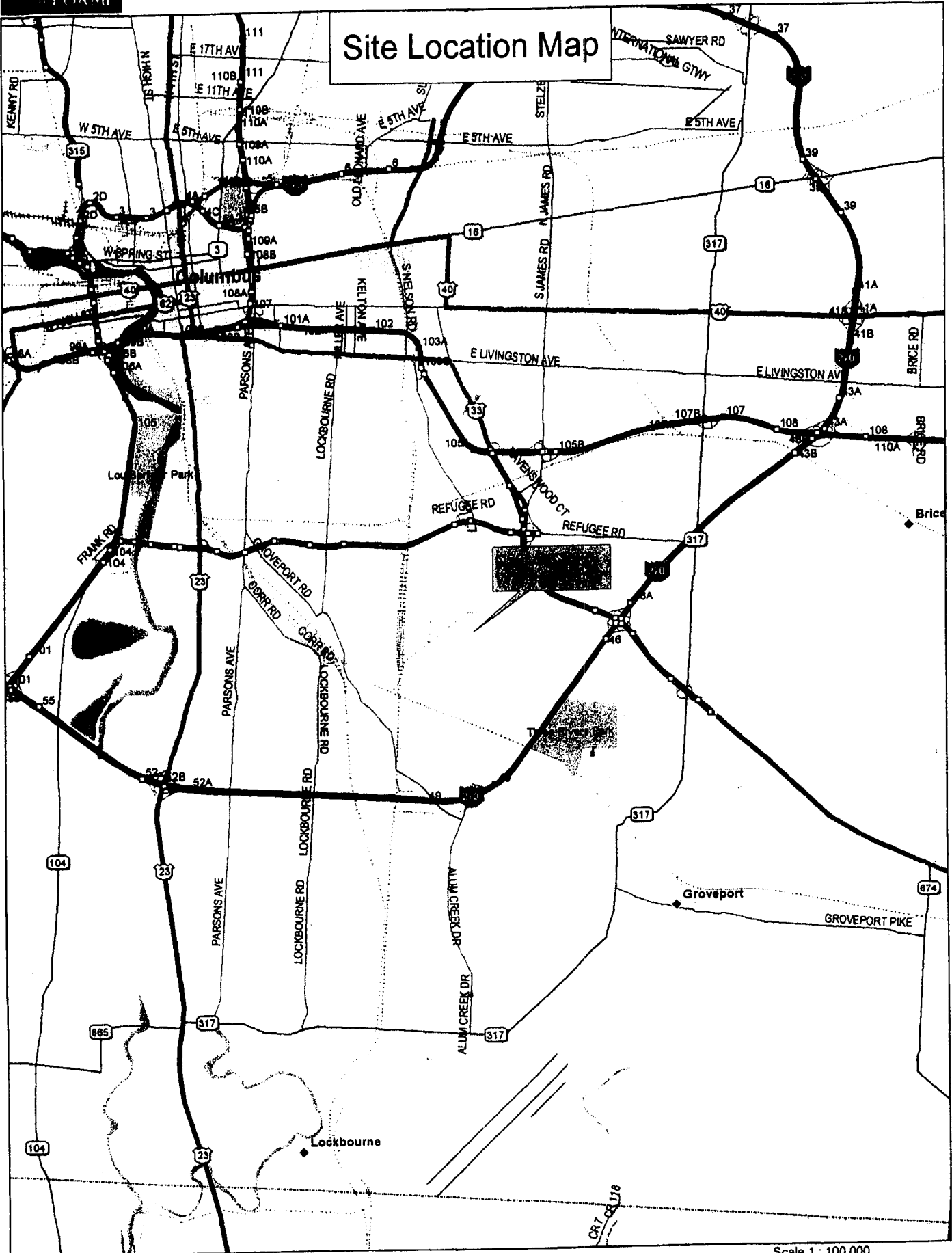
If you have any questions concerning this public notice, please contact Stan Walker at (304)399-5780.


Ginger Mullins
Chief, Regulatory Branch

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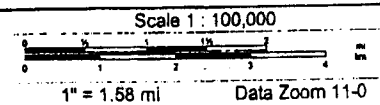
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Site Location Map

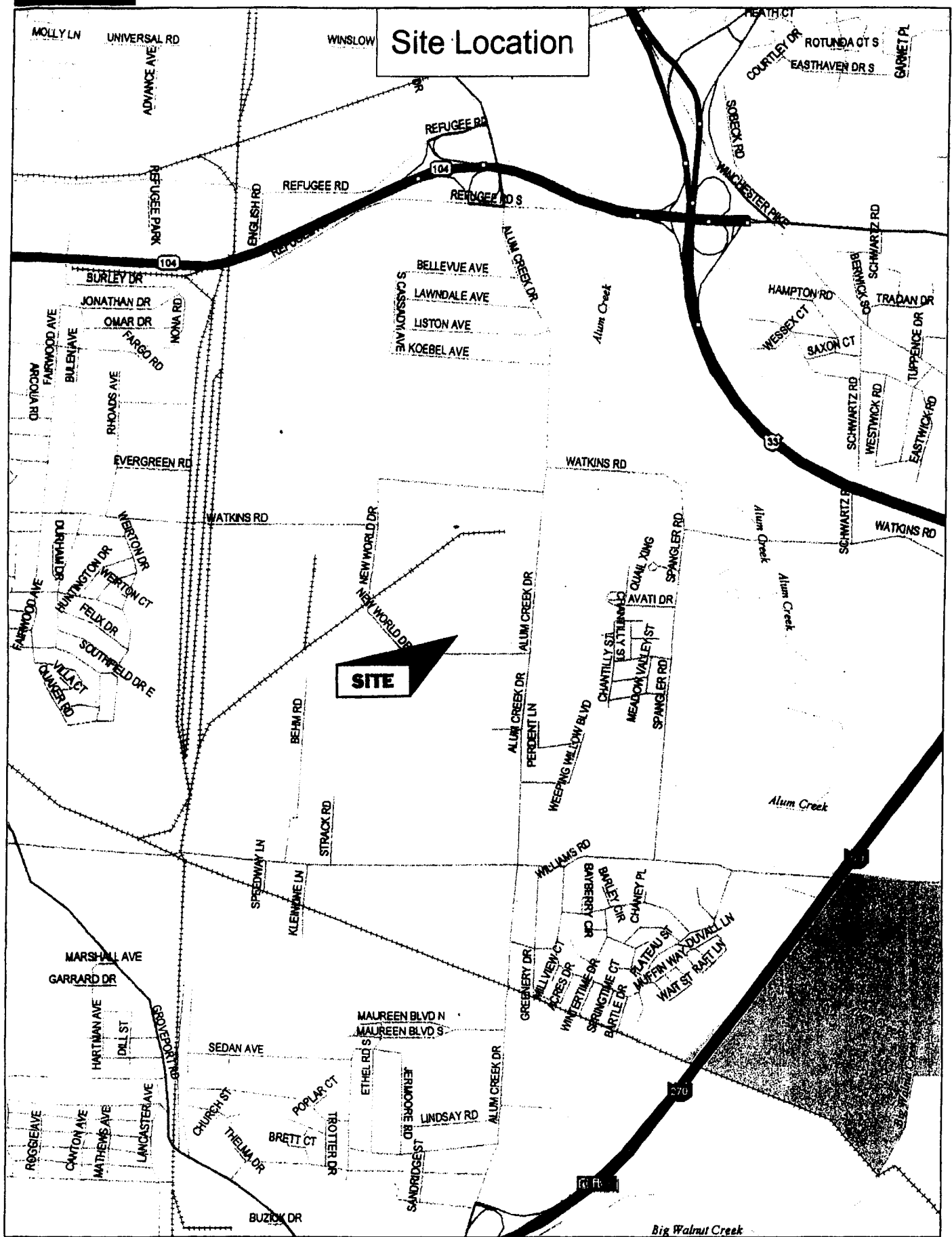


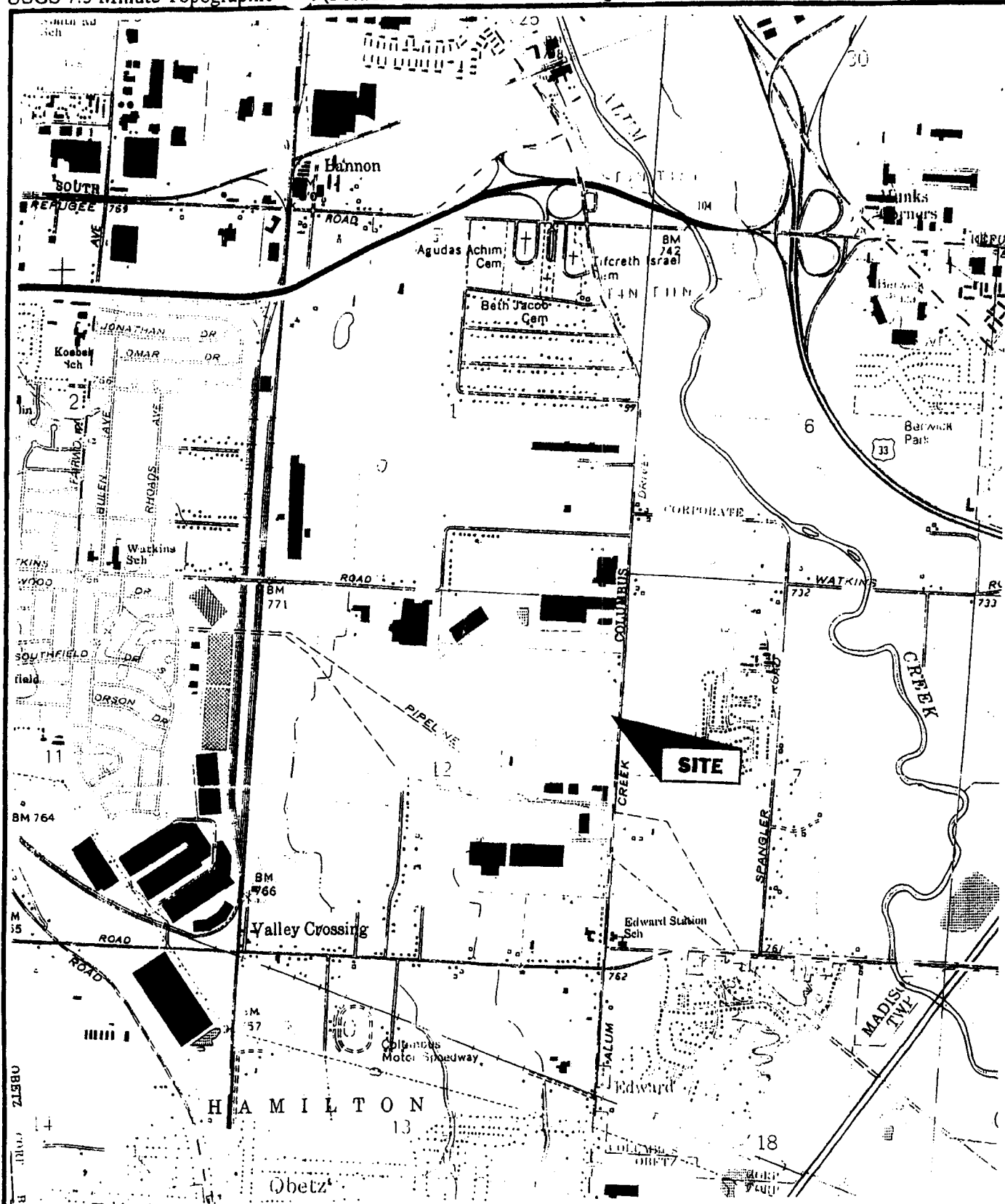
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Site Location





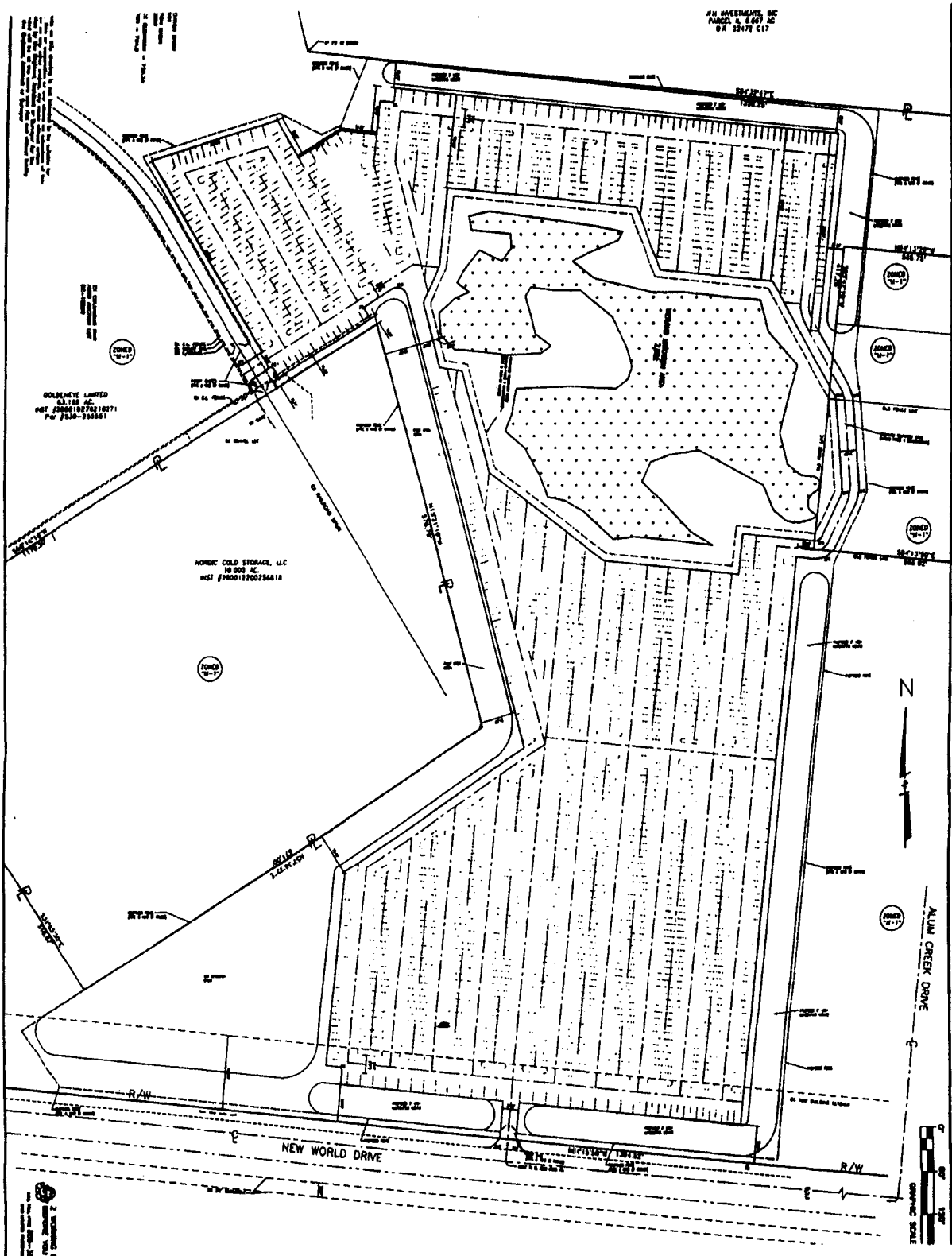
North

40-Acre Columbus Fair Auto Auction Site
New World and Alum Creek Drives
Columbus, Ohio

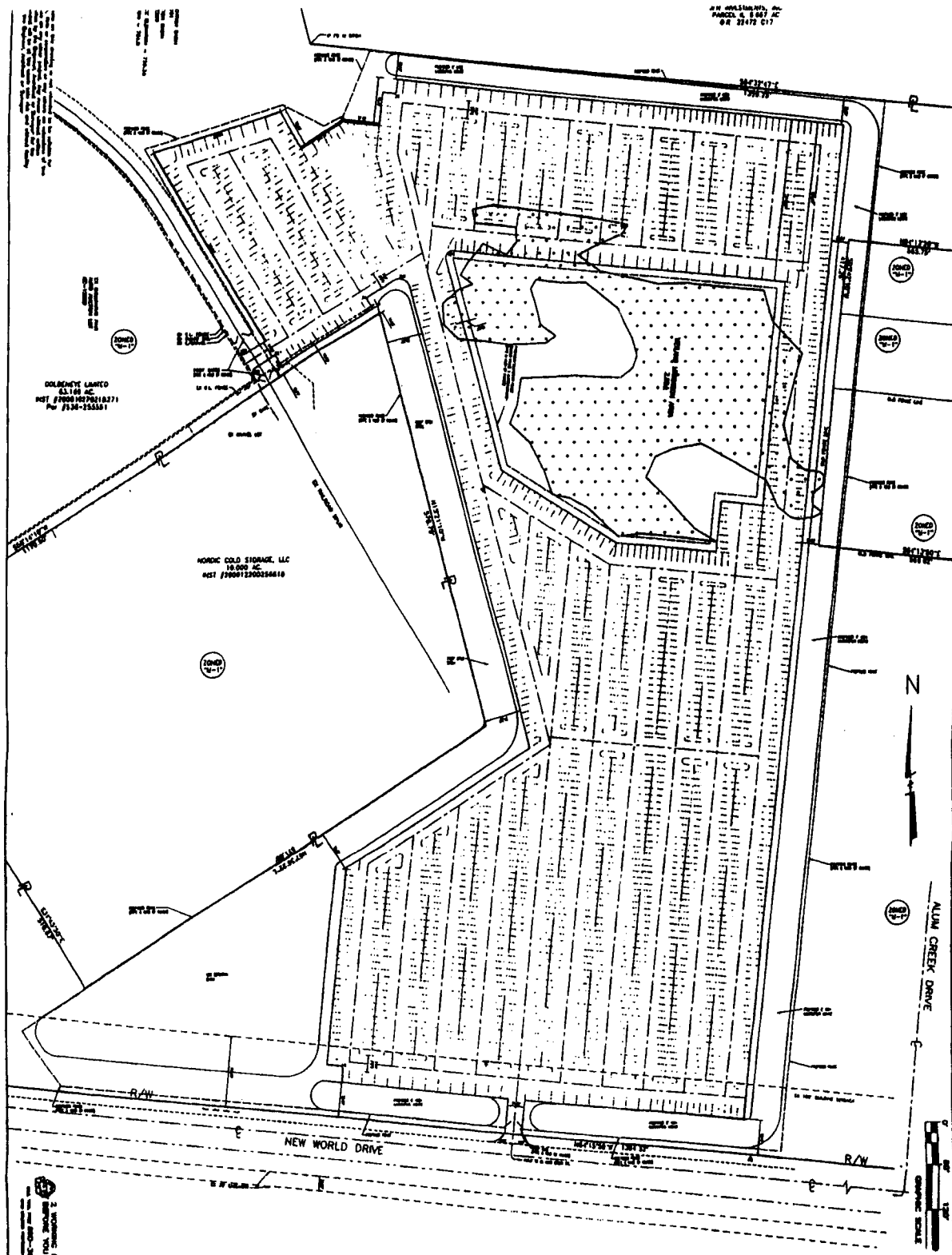


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NON-DEGRADATION ALTERNATIVE



MINIMAL DEGRADATION ALTERNATIVE



PREFERRED ALTERNATIVE

